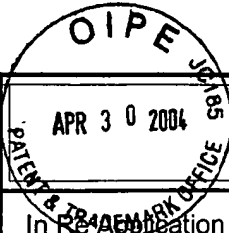


1654



TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
15004Z

In Re Application Of: **Alan P. Kozikowski, et al.**

Serial No.
09/246,307

Filing Date
February 8, 1999

Examiner
Gupta

Group Art Unit
1654

Title: **CYCLIC DIPEPTIDES AND AZETIDINONE COMPOUNDS AND THEIR USE IN TREATING CNS INJURY AND NEURODEGENERATIVE DISORDERS**

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Status Inquiry

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. _____ as described below.
 - ☐ Charge the amount of _____
 - ☒ Credit any overpayment.
 - ☒ Charge any additional fee required.

19-1013/SSMP

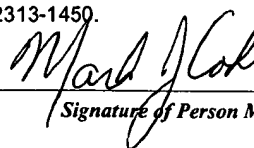


Signature

Dated: **April 28, 2004**

Mark J. Cohen
Registration No. 32,211
Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, NY 11530
(516) 742-4343

I certify that this document and fee is being deposited on **4/28/04** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Signature of Person Mailing Correspondence

Mark J. Cohen

Typed or Printed Name of Person Mailing Correspondence

cc:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alan P. Kozikowski, et al.

Examiner: Gupta

Serial No.: 09/246,307

Art Unit: 1654

Filed: February 8, 1999

Docket: 15004Z

For: CYCLIC DIPEPTIDES AND
AZETIDINONE COMPOUNDS AND
THEIR USE IN TREATING CNS
INJURY AND NEURODEGENERATIVE
DISORDERS

Dated: April 28, 2004

Confirmation No.: 6016

Commissioner for Patents
Alexandria, VA 22313-1450

STATUS INQUIRY

Sir:

Applicants again inquire into the status of the above-identified case.

Applicants have filed a Status Letter dated January 16, 2004 relative to the above-identified case, and as of this date, have not received a Response thereto.

In the last communication received from the United States Patent and Trademark Office in this application, the United States Patent and Trademark Office had improperly abandoned the present application, alleging that applicants had not responded to the Office Action dated January 17, 2001. As explained in the Petition for Revival, applicants had

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Alexandria, VA 22313-1450 on April 28, 2004.

Dated: April 28, 2004


Mark J. Cohen


responded to the Official Action and provided evidence supporting the fact that they responded to the Official Action. As explained in the Petition to Revive, the United States Patent and Trademark Office had mischaracterized the last Official Action as a final rejection, when in reality it was not a Final rejection. Consequently, applicants did not file a Notice of Appeal nor was one required. Thus, the abandonment by the United States Patent and Trademark Office was in error.

Applicants referred to the Petition to Revive the application in the previous status letter filed on January 16, 2004. Nevertheless, it is about three months since the filing thereof and applicants still have not received any communication in relation thereto. Moreover, it is almost a year since the submission of the Petition to Revive, and as of this date, applicants have not received any decision on the Petition.

This application was filed on February 8, 1999, and during the five years this application has been in prosecution, applicants have only received two Official Actions examining the claims on the merits. The delay in the examination of the above-identified application is not the fault of the applicants.

Applicants again inquire into the status of the above-identified case.

Respectfully submitted,


Mark J. Cohen
Registration No. 32,211

SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, NY 11530
(516) 742-4343

MJC:lf